

FILED
JUL 6 11 50 AM '94
SUPERIOR COURT
WASHINGTON COUNTY

STATE OF VERMONT
WASHINGTON COUNTY, SS.

IN THE MATTER OF:
Damian Renzello

)
) Washington Superior Court
) Docket No. 354-7-94 Wncv

ASSURANCE OF DISCONTINUANCE

WHEREAS DAMIAN RENZELLO is an individual residing in South Barre in Washington County and the State of Vermont;

WHEREAS DAMIAN RENZELLO is a sole proprietor of an advertising business operated in South Barre, Vermont, and has registered its tradename as the "State of Vermont Business Card Exchange";

WHEREAS DAMIAN RENZELLO has caused to be distributed business cards and other advertising copy to promote his advertising business which bears the name "State of Vermont Business Card Exchange", together with a seal which is substantially similar to the State Seal.

WHEREAS the Attorney General of the State of Vermont believes that the use of the tradename "State of Vermont Business Card Exchange" and the use of a seal substantially similar to the State Seal, whether appearing together or singularly, create in the minds of consumers the impression that this advertising entity is affiliated with the State of Vermont. The Attorney General believes that this practice

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constitutes an unfair and deceptive act in commerce in violation of the Vermont Consumer Fraud Act, 9 V.S.A. §2451 et seq.

WHEREAS DAMIAN RENZELLO is willing to resolve these matters by entering into this Assurance of Discontinuance; and

WHEREAS the Attorney General is willing to resolve these matters by accepting this Assurance of Discontinuance pursuant to 9 V.S.A. §2459;

THEREFORE, THE PARTIES AGREE as follows:

1. Damian Renzello has discontinued the use of the name of the State of Vermont in conjunction with the naming of, or promotion of, his business or the business of any corporation, partnership or other entity which he has caused to have been organized.

2. Damian Renzello has discontinued the use of the seal of the State of Vermont, or any seal substantially similar to the State's Seal, or any seal which may result in a likelihood of confusion with the State Seal in the minds of consumers in conjunction with the naming of, or promotion of, his business or the business of any corporation, partnership or other entity which he has caused to have been organized.

3. Damian Renzello, his agents and assigns, agrees to refrain from future use of the name of the State of Vermont or the State Seal or any seal substantially similar to the State's Seal, or any seal which may result in a likelihood of confusion

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with the State Seal in the minds of consumers in conjunction with the naming of, or promotion of, any business or the business of any corporation, partnership or other entity which he may cause to be organized.

4. A violation of this Assurance of Discontinuance shall be considered a prima facie violation of the Consumer Fraud Act as per 9 V.S.A. §2459(b).

Dated: 6-30-94

STATE OF VERMONT

JEFFREY L. AMESTOY
ATTORNEY GENERAL

by: Debra L. Leahy
Debra L. Leahy
Assistant Attorney General

Dated: 6-29-94

DAMIAN RENZELLO

by: Damian Renzello
Damian Renzello

APPROVED AS TO FORM:

N/A Damian Renzello

Attorney For Damian Renzello
(if any)

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